

Customer No. 24498
Internal Docket No. PF990046 US
Final Office Action Date: November 1, 2007

Remarks/Arguments

Claims 4-8 and 10-15 are pending. Claims 4-8 and 10-15 stand rejected.

Claims 11, 12 and 15 have been cancelled herein.

Claims 4 and 7 are amended. The claims have been amended to more clearly and distinctly claim the subject matter that applicant regards as the invention.

The amended features, as recited in claim 4, includes: "selecting a most adequate second user among said other users for communication with the first user," (emphasis added). The feature is supported by applicant's specification, for example, page 4 line 27 to page 4 line 1 discloses that the database of the server contains : ...

.....

- Profile of the user (Sex, age, preferred topics...); and

page 7 lines 19 to 21 of the disclosure provides :

"The user profile can be used as an element to choose the most adequate user among the users watching a given target program.." (Emphasis added).

In the last sentence of the disclosure, page 7, lines 18-19:

"The user profile can be used as an element to chose the most adequate user among the users watching a given target program" (emphasis added).

As an exemplary embodiment, a server may chose the most adequate user for communication with the first user. The most adequate user being chosen as the user most probably interested in communicating with the first user.

Claim 7 has been similarly amended. No new matter is believed to be added by the present amendment.

Rejection of claims 4-8 and 10-15 under 35 USC 102(e) as being anticipated by DeWeese et al. (2005/0262542)

Applicant submits that for at least the reasons discussed below claims 4 and 7, and the claims that depend therefrom, are not anticipated by DeWeese.

Claim 4 includes the features of: "based on at least a profile and viewing data from the other users matching at least a profile and viewing data of the first user,

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Customer No. 24498
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selecting a most adequate second user among said other users for communication with the first user" (emphasis added).

Claim 7, although different from claim 4, recite similar features.

These features are different from DeWeese because in the cited reference there is only a disclosure of the user searching for a chat group. The chat group in DeWeese defines only a group interest. For example a plurality of users may be members of the group.

In contrast to a user searching for a chat group as taught in DeWeese, applicant's claimed invention recites searching, by the server, for other users; and, selecting a most adequate second user among the other users. Accordingly, applicant's invention is matching a first user with the most adequate second user based on at least a profile and viewing data. Selecting a user as compared to selecting a group are completely different concepts.

DeWeese is based on the chat group and does not disclose nor suggest the claimed features. For example, in the paragraph 103, DeWeese discloses:

"[0103] ...Real-time audio communications may be transmitted from user television equipment devices 226 to a television channel chat facility along a communications network such as the one shown in FIG. 3, so that an audio chat facilitator (moderator) or television personality can participate in the chat group. The facilitator can determine who in the chat group may speak at a given point in time. A text-based or video chat may also have a facilitator, although this is less desirable for a text-based chat group with a small number of participants.."

While DeWeese mentions a "small number of participants," DeWeese is still based on the chat group concept and does not disclose the most adequate second user, as claimed.

Further, in the paragraph 131, DeWeese discloses that a user can program a filtering of the chat request. With this manner, less people can join the chat group:

[0131] The user may send a chat request to all other users currently watching the same television program that the user is tuned into by choosing option 362.... The chat equipment may distribute all the chat requests it receives that are addressed to users associated with a television distribution facility to each set of user television equipment connected to that television distribution facility. The chat requests may then be filtered by the set-top box application at the recipient's user television equipment. The set-top box application may

Customer No. 24498
Internal Docket No. PF990046 US
Final Office Action Date: November 1, 2007

only display the chat request on the recipient's television screen if the recipient user is watching the television program related to the chat request. The user may also block at his set-top box all incoming chat requests, or chat requests that are sent by specific individuals.

Therefore, in DeWeese a user can define that specific participants cannot join the chat group. However, here again there is no disclosure or suggestion of the selecting the most adequate second user to communicate with, as claimed by applicant.

To the contrary, DeWeese discloses in the paragraph 135 :

[0135] ... The user may even specify that he wishes to only receive chat request sent by certain individuals. This information can then be sent to the chat equipment, the television distribution facility, or the television channel chat facility. Profile data regarding a household user's preferences entered through a display screen provided by the set-top box application such as display screen 120 of FIG. 4 can be sent to the chat equipment associated with the household, so that the chat equipment may use this information for filtering chat requests that are related to television programs, channels, or categories of television programs that a user is interested in. With this arrangement, only the filtered chat requests are sent by the chat equipment to the recipient user.

From the description in DeWeese it is clear that if all the specified individuals watch the corresponding TV program and have profile data corresponding to the first user's wishes, then all these individuals are selected by the server. Therefore, DeWeese does not suggest that the server chooses among the whole of participants the one that is the most adequate for communication with the first user.

Therefore, for at least the foregoing reasons it is respectfully submitted that DeWeese cannot anticipate, or render obvious, the features of claim 4, for example: based on at least a profile and viewing data from the other users matching at least a profile and viewing data of the first user, selecting a most adequate second user among said other users for communication with the first user.

Claim 7 is an independent claims directed to a server having limitations similar to those of claim 4. For example, claim 7 recites "means for establishing a communication between the at least two users with matching data of at least said user profile and

Customer No. 24498
Internal Docket No. PF990046 US
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viewing data, the server device selecting the most adequate second user among the plurality of users for communication with the first user."


Claims 7 is thus believed to be allowable for at least the same reasons as those applied to claim 4.

Claims 5, 6, 8, 10 and 13-14 ultimately depend from one of claims 4 or 7, and are allowable at least by virtue of their dependence on an allowable base claim and because each has further distinguishing features.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,

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